

Education Professional Standards Board (EPSB)

Summary Minutes of the Business Meeting

Best Western Hotel

Frankfort, Kentucky

January 22-23, 2001

Members Present:

Doris Barlow
Eugene Binion
Karon Click
Lydia Coffey
Virgil Covington, Jr.
Joseph Early
Joy Gray
Arthur Green
Kristin Gregory
Lynn Hines
Terry Poindexter
Penny Robinson
Jack Rose
Charles Wade
Mark Wasicsko
Gene Wilhoit

Members Absent:

Beverly Tomlin

Minutes

Call to Order

Chair Dr. Joe Early called the meeting to order at 9:00 AM.

Amendment to Agenda

Motion made by Dr. Mark Wasicsko, seconded by Mr. Charles Wade to amend the meeting agenda to include the following items: Swearing-in of reappointed board member, and, under the Assessment & Licensure Work Group, adding Mr. Robert Shay's waiver request.

Vote: Unanimous

Swearing-In of Reappointed Board Member

Ms. Cheryl Lalonde-Mooney, Assistant Attorney General, swore in Ms. Penny Robinson, who was reappointed to a new term. Ms. Robinson represents elementary/early childhood teachers.

Approval of Minutes

Motion made by Dr. Doris Barlow, seconded by Ms. Lydia Coffey to approve the minutes of the November 20-21, 2000 EPSB meeting.

Vote: Unanimous

Election of Chair and Vice-Chair, January 2001-June 2002

Ms. Kristin Gregory, Chair, EPSB Nominating Committee, recommended on behalf of the committee, the names of Dr. Joe Early for chair and Ms. Lydia Coffey for vice-chair of the EPSB for the term January 2001-June 2002.

Motion made by Dr. Jack Rose, seconded by Mr. Wade to accept the recommended names for officers and elect by acclamation.

Vote: Unanimous

Appointment of Board Work Groups

Dr. Early made the following appointments to board work groups:

Executive Work Group

Joe Early, Lydia Coffey, Jack Rose, Kristen Gregory, and Terry Poindexter

Assessment and Licensure Work Group

Jack Rose, Chair; Arthur Green; Joy Gray; Lynn Hines; Eugene Binion; Charles Wade; Gene Wilhoit; and Beverly Tomlin

Program and Technical Assistance Work Group

Lydia Coffey, Chair; Kristin Gregory; Virgil Covington; Karen Click; Mark Wasicsko; Doris Barlow; Terry Poindexter; and Penny Robinson

Open Speak

No requests were made for Open Speak.

Report of the Executive Director

Dr. Leib and staff reviewed with board members the following items:

- Continuing Education Advisory Council membership;
- Reorganization/budget/facilities update;

- Kentucky Advisory Council for Internship (KACI) membership;
- Information on the Western Kentucky University Kentucky Virtual University program in Communication Disorders;
- Certification requirements/information from Kentucky's bordering states – Middle School Update
- Partners Newsletter from the National Commission on Teaching & America's Future;
- *The Full Circle: Building a Coherent Teacher Preparation System* from the National Association of State Boards of Education (NASBE); and
- *Kentucky Teacher* – November and December issues

Report of the Board Chair

Appointment of Internship Advisory Committee

Motion made by Dr. Rose, seconded by Ms. Penny Robinson to appoint the members of the Kentucky Advisory Council for Internship as recommended by Chair Early, with Dr. Zella Wells serving as chair, and to amend the membership list as follows: Principal Mary Lou Yeatts, Calloway County. (List on file in EPSB offices)

Vote: Unanimous

Recognition of Past Board Members

The following former board members were awarded plaques in recognition of their commitment and dedication to the EPSB: Zella Wells, Tim Dedman, Sandra Harris, Rosa Weaver, Cheryl Hayes, Arletta Kennedy, Frances Steenbergen, and Gregory McClellan.

Full Board Information Items

Sylvan Learning Systems

SB77, Section 15 (KRS 161.028) allows private contractors to submit alternative training programs to the EPSB for consideration. Representatives from Sylvan Learning Systems presented an outline of an alternative training program and requested feedback from the board. Their program proposal is contingent on support from a local school district, and faculty for the program would be chosen primarily from that district.

Information Resources Plan, Draft

The board reviewed a draft of the Information Resources Plan (IRP). Previously covered under the IRP of the Kentucky Department of Education, the EPSB, as an independent agency, must now have its own IRP. The plan will be used to document ongoing information systems projects. The IRP will be presented at a later date for formal approval.

Participation in the Mentoring Program for National Board for Professional Teaching Standards (NBPTS) Certified Teachers who are Members of the Education Professional Standards Board

In an Executive Branch Ethics Commission advisory opinion issued November 3, 2000, the EPSB was advised to implement an in-house policy regarding the advisability of NBPTS certified teachers who serve as EPSB members and also serve as mentors in EPSB-approved mentoring programs under 704 KAR 20:750. Staff recommended the following actions:

- Amend 704 KAR 20:750 to make a mentor's "stipend" a non-discretionary amount of \$1000 per NBPTS candidate or other mentored teacher.
- Clearly delineate in policy the criteria for all EPSB members to use in recusing themselves from any participation in discussion and/or voting in which they may have a conflict of interest

A draft policy and amended regulation will be presented to the board at the March 2001 meeting.

Full Board Action Items

Approval of Mission Statement, Goals, and 2000-02 Initiatives

Motion made by Dr. Barlow, seconded by Mr. Eugene Binion to approve the Mission Statement, Goals, and 2000-02 Initiatives.

Vote: Unanimous

Staff will develop a timeline for implementation of the goals for board review.

Dr. Jim Applegate, Council on Postsecondary Education (CPE), addressed the board regarding CPE's projected use of the EPSB's indicators under Goal I of their *Mission Statement, Goals, and 2000-02 Initiatives*, as part of CPE's *Key Indicators of Progress Toward Reform*.

Local School District Application(s) for the Emergency Non-Certified School Personnel Program

Motion made by Dr. Rose, seconded by Ms. Robinson to approve the applications of Christian County, Gallatin County, Garrard County, Ohio County, and Washington County school districts for the Emergency Non-Certified School Personnel Program, 2000-01.

Vote: Unanimous

Applications for Mentoring Programs Utilizing Teachers Certified by the National Board for Professional Teaching Standards (NBPTS)

Motion made by Dr. Wasicsko, seconded by Mr. Arthur Green to approve the applications of Clark County, Erlanger-Elsmere Independent, Fayette County, Glasgow Independent, Jefferson County, Montgomery County, Russell Independent, Walton-Verona Independent school districts for the Mentoring Programs utilizing NBPTS-certified teachers.

Vote: Unanimous (*Ms. Hines and Ms. Gregory recused*)

The deadline for the 2001-02 submission of applications for mentoring programs utilizing teachers certified by the NBPTS will be September 1, 2001.

Benchmark Committee Pilot Program

The Benchmark Committee submitted the following four recommendations for determining competency and meeting the New and Experienced Teacher Standards:

- Approval of new KTIP Assessment Instrument
- Authorization of field expert review and pilot program of the new KTIP Assessment Instrument
- Authorization of KTIP training and implementation
- Authorization of continuation of the Benchmark Committee

Motion made by Ms. Coffey, seconded by Ms. Terry Poindexter to approve recommendations as presented by the Benchmark Committee.

Vote: Unanimous

Assessment and Licensure Committee

Information Items

Strengthening Renewal Requirements

The 2000 General Assembly provided the EPSB with \$700,000 to be allocated in FY2002 to address the “strengthening of certificate renewal.” The board agreed with staff’s recommendation that the money be used in the development of an on-line web site to facilitate modules of training to assist teachers, particularly those coming from other states and those certified via alternative routes, in learning about Kentucky education law, Kentucky Education Reform Act initiatives, and resources for Kentucky students. These areas of need were identified in past studies conducted by the Kentucky Institute for Education Research. Additional benefits of the web site will include having on-line state assessments for principal and interdisciplinary early childhood certifications, and helping candidates prepare for PRAXIS exams. The EPSB may collaborate with other agencies in designing and operating the web site.

Staff also recommended amending 704 KAR 20:060 to remove the stipulation that teachers seeking renewal of their certificate produce a partial professional development portfolio demonstrating competence in at least two of the Experienced Teacher Standards. The evaluation process in school districts has improved dramatically since that stipulation was included in the regulation, and teachers are now required via SB 77 to address *all* the Experienced Teachers Standards. Board members asked staff to draft the appropriate amendment.

Assessment Issues

Staff reviewed with board members four PRAXIS tests that are due for a review by Education Testing Services (ETS). Of particular import is the Library Media Specialist test, which is sorely outdated.

Motion made by Dr. Rose, seconded by Ms. Joy Gray to waive the requirement for the PRAXIS Library Media Specialist test in 704 KAR 20:305 until such time as ETS has the new test developed and validated (possibly 2002), and make certification without the test retroactive for the previous five years.

Vote: Unanimous

Action Items

704 KAR 20:012, Repeal, Notice of Intent

On behalf of the Assessment & Licensure Committee, motion made to approve 704 KAR 20:012, Notice of Intent to Repeal.

Vote: Unanimous

704 KAR 20:300, Adjunct Instructor, Notice of Intent

On behalf of the Assessment & Licensure Committee, motion made to approve 704 KAR 20:300, Notice of Intent, Adjunct Instructor.

Vote: Unanimous

Exceptional Children Program Assignment Waivers

On behalf of the Assessment & Licensure Committee, motion made to approve the teaching assignment waivers as recommended by the Division of Exceptional Children Services and the Division of Certification, and to accord staff ongoing

authority to grant temporary approval of these assignment waivers until such time as the board meets and gives final approval.

Vote: Unanimous

Waiver Requests

On behalf of the Assessment & Licensure Committee, motion made to deny the request of Ms. Sharon Lee Hayden to waive 704 KAR 20:510, Section 3, renewal of probationary certification in exceptional children education.

Vote: Unanimous

On behalf of the Assessment & Licensure Committee, motion made to deny the request of Mr. James Roberts to waive 704 KAR 20:710, Section 4, three years' teaching experience required for principal certification.

Vote: Unanimous

On behalf of the Assessment & Licensure Committee, motion made to approve the request of Mr. Stuart Regis Wolf Harper to waive 704 KAR 20:530, Section 1(3), three years' teaching experience required for guidance counselor.

Vote: Unanimous

On behalf of the Assessment & Licensure Committee, motion made to deny the request of Mr. Robert Shay to waive 704 KAR 20:021, requirement for renewal of certification via the Master's Degree.

Vote: Unanimous

Alternative Certification Application

On behalf of the Assessment & Licensure Committee, motion made to deny, based on insufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in learning and behavior disorders, grades 9-12, for Ms. Norma McKenzie-Sleckowskir. The board recommends that Ms. McKenzie-Sleckowskir pursue the alternative route certification program offered by the Ohio Valley Educational Cooperative in collaboration with the University of Louisville.

Vote: Unanimous

Program and Technical Assistance Committee

Information Items

Morehead State University (MoSU) Status Report

Representatives from MoSU provided an update on the institution's progress in correcting weaknesses since the November 1998 accreditation visit. Board members stated that the institution is moving forward.

Continuous Assessment Status Report

Members of the Continuous Assessment Review Committee (CARC) presented a report of its findings from review of exit data collected in October 2000 from the 27 teacher preparation institutions. Overall, CARC was pleased with the quality of the reporting, and the data submitted reveals that Kentucky institutions have moved into performance-based assessment and have utilized the data to review and improve their programs.

Kentucky Report Card for Educator Preparation Programs

Board members discussed the need for a Kentucky Report Card, which would be in addition to the federal Higher Education Act, Title II report card. The committee asked staff to study the following issues and submit the results as an information item at the March 2001 meeting:

- Categorizing the areas reported as "Profile," "Input," and "Performance Assessment"
- Issuing separate report cards for alternative versus traditional programs
- How to report the impact of teachers on student learning
- The definition of a "low-performing" teacher preparation program (*This is a Title II requirement and is due by October 2001.*)
- The definition of a program "at risk of becoming low-performing" (*This is a Title II requirement and is due by October 2001.*)

The committee also asked staff to seek input from the college/university department of education deans and chairs, together with representatives of the Council on Postsecondary Education and the Association of Independent Kentucky Colleges and Universities, especially as related to program quality indicators.

Action Items

704 KAR 20:690, Kentucky Teacher Internship Program, Notice of Intent

On behalf of the Program and Technical Assistance Committee, motion made to approve 704 KAR 20:690, Kentucky Teacher Internship Program, Notice of Intent.

Vote: Unanimous

704 KAR 20:696, Accreditation, Final Approval

On behalf of the Program and Technical Assistance Committee, motion made to approve 704 KAR 20:696, Accreditation, final approval.

Vote: Unanimous

University of Kentucky – Alternative Arrangement for Student Teaching

On behalf of the Program and Technical Assistance Committee, motion made to approve the “alternative arrangement” for student teaching at the University of Kentucky.

Vote: 15 Yes
1 Abstain (*Dr. Wade*)

Recognition of New National Board for Professional Teaching Standards (NBPTS) Certified Teachers

The board recognized the achievement of Kentucky’s 42 teachers recently certified by NBPTS. One of the EPSB’s goals is to have at least one nationally certified teacher in every Kentucky public school by the year 2020, and Kentucky now has 79 teachers who have achieved this distinction. (The EPSB and State Farm Insurance Company hosted a reception at the Governor’s Mansion honoring the newly certified teachers upon recess of the meeting.)

The meeting recessed at 3:00 PM.

DISCIPLINARY MATTERS
EPSB MINUTES OF CASE REVIEW
JANUARY 23, 2001

Chairperson Dr. Joe Early reconvened the meeting at 8:30AM.

Staff discussed with board members a proposal from the Jefferson County Teachers Association (JCTA) to amend KRS 161.120 to limit the authority of the EPSB to review and the superintendents' authority to report cases of alleged misconduct "unless all applicable statutory or contractual procedures relating to judicial, administrative, or arbitral review of that disciplinary action or recommendation have been exhausted, and the reviewing authorities have made a final determination that the disciplinary action was legally and factually justified."

Board members stated that they understood teachers' concerns regarding the perception of "double jeopardy," and requested that staff increase efforts to better communicate to all educators the EPSB's role and responsibility relative to professional misconduct, as well as better define the difference between issues of employment and those of certification.

Board members also moved to recommend to the General Assembly that KRS 161.120 not be amended as JCTA proposed:

Motion made by Dr. Jack Rose, seconded by Mr. Eugene Binion that the EPSB opposes any attempt to interfere with or delay the EPSB's ability to act or the superintendent's ability to report misconduct, as this could prove harmful to children of the Commonwealth and detrimental to the education profession.

Vote: Unanimous

Susan J. Scollay, Ph.D., and Hon. Carolyn S. Bratt conducted the board's statutorily required sexual misconduct training session.

Motion made by Ms. Karon Click, seconded by Mr. Arthur Green to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.801(1)(c)&(j).

Vote: Unanimous

Motion made by Ms. Beverly Tomlin, seconded by Ms. Terry Poindexter to return to open session.

Vote: Unanimous

The following board members concurred with the actions as listed below with the noted exceptions:

Joe Early, Doris Barlow, Karon Click, Lydia Coffey, Joy Gray, Arthur Green, Kristin Gregory, Lynn Hines, Terry Poindexter, Beverly Tomlin and Charles Wade.

Attorneys present were Allison Weber, Nancy Evans, Ruth Webb, Robert E. Stopher, and Cheryl LaLonde-Mooney.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
99-0360	Dismiss with letter to Superintendent
99-0361	Dismiss with letter to Superintendent
00-11229	Hear
00-11230	Hear
00-11232	Dismiss without prejudice
00-11233	Dismiss without prejudice
00-11231	Hear
00-11245	Dismiss without prejudice
00-10211	Defer
00-10218	Defer
00-12259	Defer
00-12261	Defer
00-05101	Hear
00-09201	Dismiss
00-10210	Hear
00-10212	Admonish
00-10221	Hear
00-10222	Dismiss without prejudice
00-10223	Hear
00-11227	Hear
00-11246	Admonish (Gregory recused)
00-10244	Defer

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
00-11253 CF	Approved
00-11254 CF	Approved
00-11255 CF	Approved
00-11256 CF	Denied
00-11257 CF	Approved
00-12264 CF	Approved
00-12266 CF	Approved

00-08180 CF	Approved
00-12265 CF	Approved
00-12272 CF	Approved
00-12273 CF	Approved
00-12275 CF	Approved
00-12276 CF	Approved
96-08199	Approved
01/09/01-1 CF	Approved
01/09/01-2 CF	Approved
01/09/01-3 CF	Approved
00-12274 CF	Approved
01/12/01-5 CF	Approved
01/11/01-4 CF	Denied
01/17/01-7 CF	Approved

Agreed Orders

Case Number

Decision

00-07148 (Adam Brooks)

Approve Agreed Order prohibiting respondent from teaching in any Kentucky public school until 1 July 2003. After such period, and before returning to a public or private school teaching position, respondent shall submit evidence to the EPSB from a licensed or certified mental health professional that respondent understands the boundaries that must exist between teacher and student in a classroom setting and is capable of imposing such boundaries.

Vote: Unanimous

99-0497 (John Radjunas)

Approve Agreed Order permanently revoking all of respondent's administrative and teaching certificates and endorsements.

Vote: 10 - Yes
1 - Recuse (Dr. Early)

00-06143 (Martha Kirk)

Approve Agreed Order suspending respondent's teaching certificate for three months retroactively from 1 May 2000 to 31 July 2000.

Vote: Unanimous

Recommended Order of Default Judgment

Case Number**Decision**

00-0358 (Jerod M. Thomas)

Accept Hearing Officer's Recommended Order of Default Judgment; Issue a Final Order permanently revoking respondent's teaching certificate.

Vote: Unanimous

Appellate Cases**Case Number****Decision**

Sue P. Gambrel and
George W. Thompson
v. EPSB
Franklin Circuit Court

Continue with case in Court of Appeals; Attorney for EPSB directed to send a letter to Mr. Thompson's superintendent advising her that the EPSB finds it highly inappropriate that Mr. Thompson is serving as the DAC under present circumstances.

Vote: Unanimous

Findings of Fact, Conclusions of Law & Final Order**Case Number****Decision**

99-0232 (David Roof)

Removed from docket prior to meeting

Motion made by Charles Wade, seconded by Arthur Green, to adjourn meeting.

Vote: Unanimous

The meeting adjourned at 2:06PM.

Next meeting:

**March 19-20, 2001
Best Western Motel
Frankfort, Kentucky**

Executive Work Group:

**February 22, 2001
Association of Independent Kentucky Colleges and Universities
Frankfort, Kentucky**